IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10246 of 2005

Between:

Nemali Maheswari, D/o. Sriramulu,
Shop No.50 Mettapalem Village,
Anakapalle, Mandal, Visakhapatnam District.

..... PETITIONER

AND

1 The District Collector, Visakhapatnam.
2 The Joint Collector, Visakhapatnam.
3 The Revenue Divisional Officer, Visakhapatnam .
4 The Mandal Revenue Officer, Anakapalle, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus, or any other appropriate writ, or direction declaring the action of the of the respondents in neither conducting the enquiry against the petitioner nor permitting the petitioner to continue as F.P. Shop Dealer of Shop No.50, Mettapalem village, Anakapalle Mandal, Visakhapatnam District as Unjust, illegal and against to the principles of natural justice and violative of Article 21 of the constitution of India and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.DEVANAND

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORAL ORDER:

Petitioner is a fair price shop dealer. The third respondent, by his order dated 10-3-2005, suspended her authorization basing on the report of the fourth respondent and on the allegation that she has not been residing in the village and running the shop as benami. Aggrieved by the said order of suspension, she filed an appeal before the second respondent and the second respondent disposed of the appeal with a direction to the third respondent to complete the enquiry expeditiously. As against the said order, the petitioner preferred revision before the first respondent. However, the main grievance of the petitioner is that along with the revision, she filed an application before the first respondent praying to continue her as dealer pending revision, but the said application has not been considered so far.

Having regard to the facts and circumstances of the case, since the revision preferred by the petitioner is pending consideration before the first respondent, I see no reason to continue the present writ petition.

Therefore, I dispose of the writ petition at the stage of admission, with a direction to the first respondent to dispose of the revision preferred by the petitioner on 18.4.2005, within four weeks from the date of receipt of a copy of this order. No order as to costs.

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kvsn 28-04-2005

To

1 The District Collector, Visakhapatnam District.
2 The Joint Collector, Visakhapatnam District.
3 The Revenue Divisional Officer, Visakhapatnam .
4 The Mandal Revenue Officer, Anakapalle, Visakhapatnam District.

5 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabd.

6 Two CD copies.